
From: CC Grisham <grish@me.com>
Sent: Monday, June 29, 2015 1:55 PM
To: Ford, Mark
Cc: Charles Curtis Grisham Jr.; R6 FOIA; Patrick, Dwayne; Ortiz, Diana; Meyer, John; Tzhone, Stephen; Ragon, Derek; Kirst, Tina; Seager, Cheryl; Curry, Ron; Mccarthy, Gina; Ulmer, Craig
Subject: Re: Questions raised via email

Re: Final Disposition, Request EPA-R6-2015-007955

Mr. Ford,

I need a little more than your well-intentioned “hopes” that someone copied on this will “assist.”

Certainly, your recent reply to me has **not** “closed this matter out as to Superfund FOIA,” despite your “hope” in that regard also.

The “questions” I posed to you were regarding the flawed and incomplete documentation I was provided in response to the above-referenced FOIA request.

Therefore, I will appeal Region 6’s “full grant” Final Disposition for Request EPA-R6-2015-007955 to the National Freedom of Information Officer.

Furthermore, I will restate these “questions” as detailed requests for documentation and enter them as two separate, new FOIA requests on the online system.

I am sorry you have taken this attitude. Your handling of the matter will result in wasteful, unnecessary additional costs to the taxpayers and further burden upon the Region 6 FOIA team.

So much for trying to work together to solve obvious, egregious and longstanding flaws in the public reporting and documentation of the Arkwood Superfund site and in the Region 6 response to my FOIA request regarding my concerns, which were validated over a year ago by EPA RPM Stephen Tzhone when he said to me: “Your question is valid and I have requested clarification from the Information Management Team.”

Sincerely,

Charles Grisham, Junior

On Jun 29, 2015, at 10:13 AM, Ford, Mark <Ford.Mark@epa.gov> wrote:

Mr. Grisham:

I have copied and pasted the following directly from your below email which I will address Question #1 & #2 accordingly:

Question #1:

"The above statement is not an acceptable explanation for the lack of maintenance or availability of the public information at this portion of the EPA public websites. What is the status of that data migration "technical



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issues" claimed to as excuse for these lacunae? When will this portion of the EPA public websites be updated or taken down completely, as the current state is misleading?

Answer:

FOIA is not designed to provide answers to questions; rather, FOIA is designed to provide documents to requests. I apologize, but I am not sure who at EPA, Region or Headquarters, would be able to answer your question. The original email recipients are included on this email in hopes that they can assist by forwarding to the appropriate person/division.

Question #2

"2) Regarding the Arkansas section found at the web pages accessed by the corrected link below: why is there no HRS score given for Cedar Chemical Corporation of West Helena, one of the nine (9) sites listed for Arkansas?"

Answer:

FOIA is not designed to provide answers to questions; rather, FOIA is designed to provide documents to requests. Question #2 is in the form of a question and is thus not a FOIA. The original email recipients are included on this email in hopes that they can forward to the appropriate person/division.

Accordingly, I hope the above has closed this matter out as to Superfund FOIA. If you still believe we need to speak on Wednesday July 1, 2015 at 1:00, please let me know via email and provide me a basis as to why FOIA can still assist you with the above.

Many thanks,

Mark Ford
Senior Attorney/ORC
Superfund/FOIA

From: CC Grisham <grish@me.com>

Sent: Monday, June 29, 2015 11:25 AM

To: Ford, Mark

Cc: Charles Curtis Grisham Jr.; R6 FOIA; Patrick, Dwayne; Ortiz, Diana; Meyer, John; Tzhone, Stephen; Ragon, Derek; Kirst, Tina

Subject: Re: Final Disposition, Request EPA-R6-2015-007955

Mr. Ford,

I was definitely having trouble with these communications; they kept ending up in my "recovered items" folder. I couldn't tell if they were being sent or not. I apologize for this confusion and bother.

This is a strange anomaly. Below your reply message here appears the complete question I was trying to pose to you on Friday, June 26th (regarding my specific questions to you of Tuesday, June 16th):

"Mr. Ford, will you be addressing my questions about the response as posed below?"

My statement from that day also appears below your most recent message to me:

"I consider the response incomplete due to the missing information found at the links on the page I was provided in response to my FOIA request for that information."

The text of my June 16th follow-up message including my specific questions 1) & 2) also appear in the email thread below as I prepare this. I hope they will come through back to you in case you did not receive my June 16th follow-up email. They referred to the corrected link

(<http://www.epa.gov/superfund/sites/query/queryhtm/nplfin.htm>) which was provided in response to the subject FOIA request (EPA-R6-2015-007955) are quoted again here.

(Begin quote)

"Questions regarding the information provided at the page accessed by that link:

"1) Specific to the Arkwood entry, referring to the column headed "Additional Information" in which there are three (3) links: the second link down is "Site Progress Profile" and links to: <http://cumulis.epa.gov/supercpad/cursites/csitinfo.cfm?id=0600124>

"As I had questioned of Mr. Derek Ragon's responsibility for this portion of the EPA public websites over a year ago, when he claimed to me a "data formatting" issue and the use of an "intern" to complete the migration: why is the information at this area of the EPA public websites still so woefully out-of-date? (Please see attached screen shot; I will forward the email conversation I had with Stephen Tzhone about this from April 2014, when Stephen told me, "Your question is valid and I have requested clarification from the Information Management Team." Please note my complaints about Mr. Ragon's excuses and work product from the past.)

"The initial landing page states in red: **"In 2014, the Superfund Program implemented a new information system, the Superfund Enterprise Management System (SEMS). Efforts to migrate data to SEMS and to enhance data quality control are now in the final stages. The Program will continue to rely on the final CERCLIS data set (dated November 12, 2013, which reflects official end of Fiscal Year 2013 Program progress) for public reporting until a complete and accurate SEMS data set is available."**

"The above statement is not an acceptable explanation for the lack of maintenance or availability of the public information at this portion of the EPA public websites. What is the status of that data migration "technical issues" claimed to as excuse for these lacunae? When will this portion of the EPA public websites be updated or taken down completely, as the current state is misleading?

"2) Regarding the Arkansas section found at the web pages accessed by the corrected link below: why is there no HRS score given for Cedar Chemical Corporation of West Helena, one of the nine (9) sites listed for Arkansas?"

(End of quote)

Attached are the images I tried to send with the original June 16th follow-up email; I have made the images into PDFs in case the JPG format was causing us the problem.

Let's see if this works. If there is still a problem, we should abandon this email thread, as it is likely corrupt in some way not obvious to the non-technical eye.

1:00 PM Central Time Wednesday, July 1st works for me. Please call me when you are ready: 323-650-2300.

Thank you.

Curt